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SSCI BOX JL

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August 11, 1975

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MEMORANDUM

To: John Bayly  
Charles Kirbow  
Mike Madigan

From: Andy Postal  
Rhett Dawson

Subject: Relevance of Department of Justice Documents to Awareness of Assassination Plots

FBI info  
REVIEWED BY FBI/JFK TASK FORCE  
ON 11/2/93 dal  
 RELEASE IN FULL  
 RELEASE IN PART  
 TOTAL DENIAL

There are several documents in the Select Committee's files which we have reviewed at Mike's request and which we believe have a significant impact on the present inquiry into assassination plots. Particularly, Document 2 (see below) reveals that as easily as May 22, 1961, the Department of Justice has all the pieces necessary to connect the CIA with Giancana in an assassination plot against Castro.

Document 1

Memorandum from Hoover to Bissell of October 18, 1960, copies to Service Intelligence Chiefs, Department of State, Department of Justice (Assistant Attorney General Yeagley).

This memorandum based on information from a well placed FBI source demonstrates that Hoover and all others to whom this memorandum passed had reason to believe that Giancana, Maheu and other underworld figures were stating to others that they were involved in efforts to kill Castro. No information is available on what action was taken on this memorandum, or, if the information in it was passed on to the Kennedy Administration a few months later.

CONTINUATION OF DOCUMENT 10

Document 2

Memorandum from Hoover to Attorney General Kennedy dated May 22, 1961. This memorandum clearly sheds light on RFK's awareness of the use of underworld figures by the CIA "relative to anti-Castro activities."

a. The Hoover to Kennedy memorandum is persuasive that the Attorney General had knowledge of the use of the Mafia almost a full year before the IG Report and all other evidence has indicated. This memorandum RFK actually saw as he put a handwritten note on it and his initials. Although it does not mention assassinations, it does clearly state that underworld figures are involved in anti-Castro activities.

Consider if you will the import of such knowledge.

(1) RFK is in almost daily contact\* with Allen Dulles during the month of May 1961 with every opportunity to satisfy his Attorney General's curiosity about the CIA using major figures in the world of organized crime which he has vowed to prosecute.

(2) A later memorandum (Document 7, May 10, 1962, at pages 6 and 7 Hoover to FBI staff) and testimony (Houston) suggest that the Attorney General was surprised or astonished that the CIA was using Mafia figures against Castro. Although there is no evidence

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Taylor, Kennedy, Allen Dulles and Admiral Burke met in 21 meetings of the Taylor "Board of Inquiry" into the Bay of Pigs from April 22, 1961, until the final meeting on May 30, 1961. An interim oral report was given the President on May 16, 1961, and a final written report on June 13, 1961.

that prior to May 7, 1962, RFK had the connection of the underworld to assassination efforts his contemporaneous comments, according to Houston (at 14) are not at the horror of assassination\* but, rather an expression that he or the Department of Justice should be consulted before using the gangsters again. (IG, page 62a; Hoover to Staff, May 10, 1962, at page 7, Houston testimony at 14). Although Houston opined during his testimony that he believed the Attorney General to be genuinely surprised by what the CIA had done, it is very difficult to make this accord with the evidence that he had had knowledge for a year of the very thing which was the thrust of his contemporaneous comments.

(3) In the midst of the inquiry into the Bay of Pigs, the Attorney General when made aware of the use of the underworld in anti-Castro activities according to present evidence, reacted by making a handwritten note ("Courtney\*\* I hope this will be followed-up (vigorously) RFK") on the document and sending it to a subordinate for action. But the matter is pursued languorously, rather than vigorously, and almost a year later an indictment has still not been returned and the FBI is only at the stage of asking the CIA whether it would object to the prosecution (see for example, Hoover to Edwards, March 23, 1962).

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\*"I do not remember his commenting about the operation itself."  
Houston at 14.

\*\*Courtney Evans, Chief of the newly created Special Investigators Division.

~~WARA RT~~

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(4) According to evidence presented, Committee RFK was not told\* on May 7, 1962, that the Roselli connection continued, and, that in fact, it was being reactivated. The IG Report at page 65 states that as far they have been able to determine, the Attorney General was never told "that CIA had a continuing involvement with U.S. gangster elements." This may be true as to the future (Phase II) use but it is suggested that RFK is aware of at least a year's continuing involvement.

b. A memorandum of that same date and subject prepared by the FBI and presumably\*\* enclosed was used to examine Bissell (7/17, Exhibit 3) on the question of Dulles' awareness as the FBI memo headed ARTHUR JAMES BALLETTI, et. al. states that: "Allen Dulles was completely unaware of Edwards' contact (with) Maheu in this connection."

This statement, of course, does not show that Dulles was unaware or did not authorize assassination plots, only that he was unaware of this use of Maheu. This would comport with Bissell and Edwards' testimony that Dulles was briefed "circumlocutiously."

\*Nor could he have been by Houston who was not aware of what Harvey was up to, but it should be noted that Edwards is aware that in the previous month (early April 1962) Harvey asked him to arrange a meeting with Roselli. It is our interpretation that Edwards knew he was being compartmented out of "Roselli" and that his May 14, 1962, memorandum for the record and his caution to Harvey on gaining the tacit approval of the DCI is entirely self-serving. Edwards is clearly in peril at this point if McCone is questioned by the Attorney General and does not endorse Dulles' authorization as a continuing approval.

\*\*We are unsure as to whether Byron White and Herbert J. Miller received copies or whether they had memorandum attached to the Hoover-RFK 5/22/61 memo. Miller will be examined on this question, 8/11/75. We should attempt to clear up whether White and Miller received copies of this memo by requesting Justice to provide all the enclosures.

Further, it is our interpretation that Edwards did not invoke Dulles' name as:

- (1) He did not want such knowledge attributed to Dulles (an example in our minds of "plausible denial," Edwards is Director of Security);
- (2) It was not necessary to do so to achieve his purpose; and
- (3) Edwards believed the Attorney General already knew\*. (See c. below.)

c. In the last sentence of the FBI memorandum, it states that Edwards "added that Mr. Bissell, (in) his recent briefings of General Taylor and the Attorney General in connection with some (of the) associated planning included the use of Giancana and the underworld against Castro." Bissell has denied\*\* (6/9 at 65) that he briefed the Attorney General and Taylor and the Report of Inquiry of June 13, 1961, includes his witness transcripts but does not have any such reference.

Document 6

Memorandum from Houston to Edwards dated April 26, 1962. This memorandum is not significant for its subject matter but rather for

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\*The approval of higher officials may not be invoked as reinforcement until a year later when briefing the Attorney General.

\*\*To demonstrate that Bissell is greatly confused on this point (and others) he testified on July 22, 1975, at one point that he had briefed the Attorney General on the use of the underworld in May 1961 and felt that this signalled a plot to kill Castro. Bissell, of course, reverses himself on this later.

its last sentence: "General Carter understood the situation and said in due time we might brief the Director."

The "situation" is the possible Maheu-Ballelli prosecution. It is our interpretation that Carter's awareness of the use of Maheu and Roselli serves to erod the significance of the Harvey-Helms agreement not to brief McCone in the same time period.\* This is particularly true if Edwards had shown Houston's memo to Harvey or Helms. This, of course, does not suggest that Carter was told of the assassination efforts but it may relieve Harvey and Helms of appearing to enter into a "conspiracy" not to tell McCone and bring into question whether McCone was told by Carter and aware of Ballelli problem. (Quaere, was McCone examined on ~~F~~ Roselli, Maheu or Ballelli?)

Houston was examined on this document and had no recollection (check). Houston stated, though, that he always was straight forward in dealing with the DCI and DDCI.

General Carter\*\* has not been examined by this Committee. He served as DDCI from 1962-1965 and as Director, NSA from

\*It also erodes the pointed questions as to Harvey's wanting to know if Papich was going to tell the AG about being seen with Roselli so that he could brief McCone, as the previous sentence in the Houston memo states: "I, therefore, briefed the DDCI in view of the possibility that the Attorney General might call him or the Director ab ~~at~~ the case." This is offered to suggest that an official may not have bad motives in desiring advance warning of an inquiry from the Attorney General. (Note Houston had been told only a few weeks earlier of the Ballelli-Roselli problem and was not examined on the May 22, 1961, Hoover to Kennedy memo.)

\*\*Carter had been previously telephoned by the Chief Counsel to the Select Committee who had made a determination that Carter had nothing to add. Chas Kirbow telephoned Carter on August 8, 1975, and although he did not recall discussing the matter with Houston or of any Roselli connection with the CIA, Carter stated that at that point in his service at CIA (he had been there but a few days) he would have gone immediately to McCone and advised him. For the purpose of recollection he would need to see the document. Carter

1965-1961.

Document 14

Memorandum from Osborn, Director of Security to the DDCI (then Helms), subject: Maheu, dated June 24, 1966.

This memorandum supports the contention that Allen Dulles was briefed about the liquidation of Castro. It baldly states so, but even more significantly in reviewing the entire assassination effort using Maheu chronologically it infers that Dulles was made aware "and gave his approval," after August 1960 but before Roselli was "pitched" on September 14, 1960, a period in the effort hitherto indicated to be totally without approval. F

Osborn has not been before the Committee. If he is available it appears he could shed light not only the question as to Dulles, raised above, but also at least the following:

- a. Why did he prepare the memorandum?
- b. Why would Helms want to have this information, particularly from the Director of Security?
- c. Did Osborn interview anyone in putting the memorandum together, if so, who?
- d. How does he place Edwards briefing the Attorney General on February 7, 1962\*.
- e. Why does the Director of Security classify the document dealing with assassination "Secret" rather than "Top Secret" as everyone else has?

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\*Two other documents (4/4/62 Edwards to Record; 3/23/62 Hoover to Edwards) have Edwards briefing only the FBI on this date.

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Recommendations as to further Inquiry

1. That the location of the October 18, 1960, memorandum be studied so as to understand what Bissell's reaction to it might have been. It is suggested Bissell should have become somewhat curious as to Giancana's "talkativeness".
2. That the May 22, 1961, memorandum enclosures he secured and that Herbert J. Miller be examined as to the appearance of the names of Byron White and Herbert Miller's at the bottom.
3. That General Carter be shown the Houston memo of April 26, 1962, and attempted to have his recollection refreshed.
4. That Richard Helms and Harvey be shown the Houston memo to Edwards to see if they were aware of Carter having been briefed as a possible explanation of their agreement.
5. That Osborn be examined on his memo to Helms of June 24, 1966.
6. That John McCone be recalled for the purpose of examining him upon the following:
  - a. His recollection of the practice of General Carter shortly after his arrival at the CIA of keeping him advised of matters that came to Carter's attention; and
  - b. His recollection of Balletti, Maheu or Roselli;
  - c. His recollection of the application of the principle of plausible deniability during his tenure as Director of Central Intelligence.

7. That Sam Papich, FBI liaison to the CIA, be examined on his knowledge of Harvey's connection with underworld figures, Giancana, Roselli, and Trafficante up until June 1963 to correct the impression given by the IG Report that Papich is surprised in seeing Harvey with Roselli in a restaurant and asks Harvey if he knows with whom he is having dinner. It is suggested that Papich's testimony before the Rockefeller Commission bears out that he had a continuing involvement with Harvey and knew of the use of Roselli.